





HISTORY (1)

- 1938 Imperial County restricted some pesticides
- 1949 Injurious Herbicides and Injurious Materials
- by the state
- as a result of 2,4-D drift
- onto grapes and cotton
- in the Central Valley



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EVENTS LEADING UP TO AB3765 (1)



- National Environmental Protection Act NEPA
- California Environmental Quality Act CEQA

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EVENTS LEADING UP TO AB3765 (2)

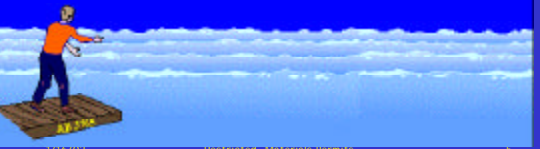


- 1976 Attorney Generals Opinion
- Restricted Materials require an EIR
- 'In many instances'

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EVENTS LEADING UP TO AB3765 (3)

- 1977 Environmental Assessment Team formed
- December, 1977 EAT failed
- 1978 CEQA amended by AB 3765
- Allows for "Functional Equivalent" of an EIR



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AB3765 Requirements (1)




- Plan addresses
 - Registration, evaluation, classification of pesticides
 - Licensing and registration of dealers, PCB's, PCA's
 - Monitoring of pesticide use, human health and environmental effects

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AB3765 Requirements (2)

- EIR or negative declaration not required
- Documentation of environmental impacts required
- Mitigation measures required
- Alternative materials required
- July 1980, implemented



and Certification

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HISTORY (2)


- 1983 Toxic Air Contaminants Act
- 1985 Groundwater Protection Act



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CERTIFICATION - What's new?




- Permit issuance and private applicator certification
- Separate

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WHAT CERTIFICATION AND PERMIT ARE REQUIRED?


- Work Book page 3
- Exercise 1



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Continuing Education



- 6 hours continuing education every three years for growers
- 2 hours for each year
- Or take and pass exam

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Employee certification

- Private applicator certificate for employees
- of producers of ag commodities
- with written authorization
- permit becomes invalid when certified employee leaves employer
 - if there is only one CA named on the permit or
 - if the departing CA signed the permit

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New definitions

- Proposed new definitions for:
 - Authorized representative
 - Operator of property
 - Person
 - Private applicator
 - RMP applicant

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RESTRICTED MATERIALS PERMIT EVALUATION

- To review the legality of the application
- To assess the environmental impact.
 - Time specific (Ag use)
 - Site specific (Ag use)
- To condition the permit with -
 - mitigation of adverse effects or
 - feasible alternatives.
- To provide for safety of people, their food, and the environment.

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AG USE AND NON-AG USE

- Ag Use
 - See page 13 of your manual.
- Non-Ag Use
 - See page 16 of your manual.
- Work Book pages 4-6
- Exercise 2.



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PERMIT REQUIREMENTS (1)

- Permits issued by a qualified biologist
- To the responsible person -
 - Ag operator of the property
 - Owner or authorized representative
 - Non-ag operator of property or PCB

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PERMIT REQUIREMENTS (2)

- Location of sites and sensitive areas defined
- Site, pest, pesticide, method, PCB, time
- Signatures - permittee and CAC biologist
- Date signed and time period valid

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WHAT IS WRONG ?

- Pages 7 & 8 of your Work Book
- Exercise 3



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NOTICE OF INTENT

- NOI provides information not known at permit time
- NOI is part of the permit process
- NOI can be used to provide only certain information
 - Time of application, PCB, method
 - 24 hours prior notice,
 - CAC can allow shorter time or require longer time
- NOI may be submitted by PCB or authorized rep
 - But permittee is responsible

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NOI REVIEW - ENF FARMS

- Pages 9-15 in your Work Book
- Exercise 4



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PERMIT EVALUATION

- CAC is responsible for knowing local conditions and utilizing that knowledge
- I.D. sensitive areas
- Consider mitigating measures and alternatives
- Recommendation required if PCB applied
- No application

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NOI REVIEW - SIERRA HIGH

- Work Book pages 16-18
- Exercise 5



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NOI REVIEW - SIERRA HIGH

- Work Book pages 16-18
- Exercise 5



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PERMIT DENIAL

- Deny a permit if:
 - Pesticide is not registered for the site
 - There is a feasible alternative
 - Hazard cannot be mitigated
 - Label requirements cannot be met
 - Regulatory requirements cannot be met
 - All permit denials must be documented

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PERMIT MONITORING

- Statistical program for monitoring sites
 - Monitor violators more frequently
 - Monitor no less than 5% of ag sites
 - Monitor each non-ag permittee at least once a year
 - Stop application if not in compliance with CFAC § 14006.5

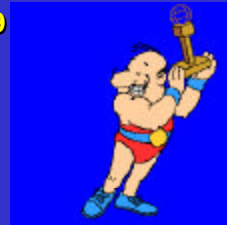
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WHAT ARE PERMIT AND CERTIFICATION REQUIREMENTS?

- Work Book page 19
- Exercise 6



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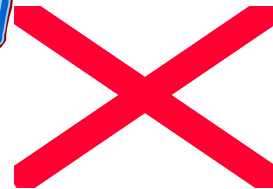
CFAC § 14006.5 REQUIREMENTS

- Biologist to consider:
 - Sensitive areas
 - Heterogenous crops
 - Resurgence of secondary pest problems
 - Weather
 - Bees
 - Storage and disposal

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